

NOTICE: THIS DECISION DOES NOT CREATE LEGAL PRECEDENT AND
MAY NOT BE CITED EXCEPT AS AUTHORIZED BY APPLICABLE RULES.
See Ariz. R. Supreme Court 111(c); ARCAP 28(c); Ariz. R. Crim. P. 31.24

FILED BY CLERK
MAY 11 2012
COURT OF APPEALS
DIVISION TWO

IN THE COURT OF APPEALS
STATE OF ARIZONA
DIVISION TWO

| | | |
|---------------------------|---|----------------------------|
| THE STATE OF ARIZONA, |) | 2 CA-CR 2011-0109 |
| |) | DEPARTMENT B |
| Appellee, |) | |
| |) | <u>MEMORANDUM DECISION</u> |
| v. |) | Not for Publication |
| |) | Rule 111, Rules of |
| MARCOS AARON ZAVALA-CANO, |) | the Supreme Court |
| |) | |
| Appellant. |) | |
| _____ |) | |

APPEAL FROM THE SUPERIOR COURT OF PIMA COUNTY

Cause No. CR20100173006

Honorable Terry L. Chandler, Judge

AFFIRMED

Lori J. Lefferts, Pima County Public Defender
By Rebecca A. McLean

Tucson
Attorneys for Appellant

ESPINOSA, Judge.

¶1 After a jury trial, appellant Marcos Zavala-Cano was convicted of conspiracy to commit armed robbery and burglary, and later pled guilty to sale and/or transfer of a dangerous drug. The trial court sentenced him to mitigated, concurrent four-year terms of imprisonment. Counsel has filed a brief in compliance with *Anders v. California*, 386 U.S. 738 (1967), and *State v. Clark*, 196 Ariz. 530, 2 P.3d 89 (App.

1999), stating she has reviewed the record and has found no “meritorious issues for appeal.” Counsel has asked us to search the record for fundamental error. Zavala-Cano has not filed a supplemental brief.

¶2 Viewed in the light most favorable to sustaining the verdicts, the evidence was sufficient to support the jury’s findings of guilt. *See State v. Tamplin*, 195 Ariz. 246, ¶ 2, 986 P.2d 914, 914 (App. 1999). The evidence presented at trial showed that Zavala-Cano and five others had made arrangements with undercover police officers posing as drug traffickers to commit a home invasion robbery. We further conclude the trial court correctly sentenced Zavala-Cano.

¶3 Pursuant to our obligation under *Anders*, we have searched the record for fundamental, reversible error and have found none. Zavala-Cano’s convictions and sentences are affirmed.

/s/ Philip G. Espinosa
PHILIP G. ESPINOSA, Judge

CONCURRING:

/s/ Garye L. Vásquez
GARYE L. VÁSQUEZ, Presiding Judge

/s/ Virginia C. Kelly
VIRGINIA C. KELLY, Judge